

THE  
ORDINANCE

AND  
DECLARATION  
of the LORDS and COMMONS, for the  
Assessing all such who have not contributed  
sufficiently for raising of *Money, Plate, &c.*

WITH HIS  
MAJESTIES

Declaration to all His loving  
Subjects upon occasion thereof.

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*Charles R.*

Our expresse pleasure is, That this Our Declaration be Published in all Churches and Chappels within the Kingdome of *England* and Dominion of *Wales*, by the Parsons, Vicars, or Curates of the same.

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ORDINANCE

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# *An Ordinance and Declaration of the*

LORDS and COMMONS in Parliament.

 Hereas the King seduced by wicked Counsell hath raised an Army, and leaved Warre against the Parliament, and great number of Forces are daily raised under the commands of Papiſts and other ill-affected persons, by Comiſſions from His Maſteſtie; And whereas divers Delinquents are protected from publick Juſtice by his Maſteſties Army, and ſundry outrages and rapines are daily committed by the Souldiers of the ſaid Army, who have no reſpect to the Laws of God or the Land, but burn and plunder the Houſes, and ſeize and deſtroy the perſons and goods of divers His Maſteſties good ſubjects; And whereas for the maintenance of the ſaid Army divers aſſeſſments are made upon ſeverall Countieſ, and His Maſteſties ſubjects are compelled by the Souldiers to pay the ſame; which ſaid Army if it ſhould continue, would ſoon ruine and waſte the whole kingdome, and overthrow Religion, Law, and Libertie. For ſuppreſſing of which ſaid Army and ill affected perſons, there is no probable way under God, but by the Army raised by Authority of the Parliament; which ſaid Army ſo raised, cannot be maintained without great ſummes of money, yet for raising ſuch ſummes, by reaſon of His Maſteſties withdrawing himſelf from the advice of the Parliament, there can be no Act of Parliament paſſed with his Maſteſties aſſent, albeit there is great Juſtice that the ſaid moneys ſhould be raised: The Lords and Commons in Parliament, having taken the ſame into their ſerious conſideration, and knowing that the ſaid Army ſo raised by them, hath been hitherto for the moſt part maintained by the voluntary contribution of divers well-affected perſons, who have freely contributed according to their abilities.

But conſidering there are divers others within the Cities of *London* and *Westmiſter*, and the Suburbs of the ſame, and alſo within the Borough of *Southwark*, that have not contributed at all towards the maintenance of the ſaid army, or if they have, yet not anſwerable to their Eſtates, who notwithstanding receive benefit & protection by the ſame army, as well as any others, and therefore its moſt juſt, that they ſhould as well as others be charged to contribute to the maintenance thereof.

Be it therefore Ordained by the Lords and Commons in Parliament aſſembled, and by authority thereof, that *Iſaac Pennington* Lord Major

of the City of *London*, Sir *John Wollaston* Knight and Alderman, Alderman *Towes*, Alderman *Warner*, Alderman *Andrewes*, Alderman *Chambers*, Alderman *Fowkes*, Sir *Thomas Seham* Knight and Alderman, *Samuel Vassell*, *John Venn*, *Morris Thompson*, and *Richard Warrin*, Citizens, or any foure of them, shall hereby have power and authority to nominate and appoint in every ward within the City of *London*, six such Persons as they, or any foure of them, shall think fit, which said six so nominated, or any foure of them, shall hereby have power to enquire of any that shall remain, or be within the said severall Wards that have not contributed upon the Propositions of both Houses of Parliament, concerning the raising of Money, Plate, Horse, Horsemen, and Arms for the defence of the King and both Houses of Parliament, and also of such as are able men, that have contributed, yet not according to their estates and abilities. And the said six persons so nominated, or any foure of them, within their severall and respective wards and limits, shall have power to asseffe such person or persons, as are of ability and have not contributed, and also such as have contributed, yet not according to their ability, to pay such summe or summes of Money according to their Estates, as the said Assessors or any four of them shall think fit and reasonable, so as the same exceed not the twentieth part of their Estates, and to nominate and appoint fit persons for the collection thereof. And if any person so assessed shall refuse to pay the money assessed upon him, it shall be lawfull to and for the said Assessors and Collectors, or any of them, to leavie the said summe so assessed by way of distresse, and sale of the goods of the person so assessed, and so refusing: And if any person so distrained shall make resistance; it shall be lawfull to and for the respective Assessors and Collectors, or any of them, to call to their assistance any the Trained Bands of the said city of *London*, or any other His Majesties subjects, who are hereby required to be aiding and assisting to the said Assessors and Collectors in the premises; And it is hereby further ordained, that the respective Burgeses of *Westminster* and *Southwark*, together with the severall Committees appointed for the subscriptions of Money, Plate, Horse, Horsemen and Arms within the said City and Borough, shall respectively have power hereby to nominate Sessors for the same Citie and Borough, in such manner as the Lord Major, &c. hath for the City of *London*, and the said Assessors, or any four of them, to name Collectors as aforesaid: Which said Assessors and Collectors shall have the same power respectively, within their respective limits, as those to be nominated within the said City of *London* have hereby limited to them.

And

And for the Suburbs of *London & Westminster*, the respective Knights of the Shires where the said Suburbs are, shall have hereby the like power to name Assessors, and they so named, or any four of them, and the Collectors by them to be nominated, or any of them, within their respective limits, shall have the like power respectively as the Assessors and Collectors for *London* have by virtue of this ordinance. And be it ordained that the summes so assessed and leavied as aforesaid shall be paid in at Guild-hall *London*, to the hands of Sir *John Wollastone*, Knight, *John Warner*, *John Tones*, and *Thomas Andrews* Aldermen, or any two of them; And the Assessors and Collectors to be nominated by virtue hereof shall weekly report to the Committee of the House of Commons, for the Propositions aforesaid, what summes of money have been assessed, and what summes have been leavied weekly according to the purport hereof, and the said moneys so leavied and paid in, shall be issued forth in such sort as the other moneys raised upon the Propositions aforesaid, and not other wise.

*Die Martis, 29. Novemb, 1642.*

**W**Hereas a late Ordinance is passed by both Houses of Parliament, for the Reasons therein declared, for the assessing of all such persons within the Cities of *London* and *Westminster*, and the Suburbs thereof with the Borough of *Southwark*, as have not contributed upon the Propositions of both Houses of Parliament, for raising of Money, Plate, Horse, Horsemen and Arms, for defence of the King, Parliament and Kingdome, or have not contributed proportionably to their estates and abilities: And whereas it is thought fit, that some additions be made for further explanation, and better execution of the said Ordinance: Be it further ordained and declared by the Lords and Commons assembled in Parliament, that such Persons as shall be assessed by the respective Assessors, in the said Ordinance appointed, and shall within six dayes next after notice given to them, or left at their severall houses within the said Cities, Suburbs, or Borough, pay in the one moiety of the said summes of money so assessed, and within twelve dayes after the said notice given as aforesaid, the other moiety thereof, unto the Treasurers of Money and Plate in Guild-hall *London*, or unto the Collectors appointed by the said Ordinance, respectively to receive the same, that the said Treasurers, or Collectors, shall give Acquittances for the same, as hath been done to such who have sent Moneys or Plate, upon the Propositions of both Houses as aforesaid. And

the said Moneys so paid to the said Treasurers, or to the said severall Collectors, shall be repaid upon the Publick Faith, as all other Moneys lent upon the said Propositions of both houses. And as for those who shall so farre discover their disaffection, as not to bring in the severall summes of Money so assessed upon them to the persons before appointed, within the times limited, that then their goods shall be distrained and sold according to the said Ordinance. And if no sufficient distresse be found, that then the said Collectors shall respectively have power to enquire of any summe or summes of Money due, or to be due unto them respectively so assessed from any person or persons for any Rents, Tithes, Goods, or Debts, or for any other thing or cause whatsoever. And the said respective Collectors shall have power by virtue of this Ordinance, to receive all, or any part of the said summes due, or to be due unto them or any of them so assessed, untill the full value of the summe or summes so assessed, and the charges in levying and recovering of the same shall be received and satisfied. And the said respective Collectors shall have further power to compound for any of the said Rents, Tithes, Goods, or Debts, due unto the said person so assessed respectively as aforesaid, with any person or persons by whom the said Rents, Tithes, Goods or Debts, are or shall be owing, as also to give full and ample discharge for the Money by them so received, upon composition or otherwise, which discharges shall be good and effectuell to all intents and purposes. And if the summe or summes of Money so assessed cannot be leaved by any of these means or wayes, then the persons so respectively assessed, shall be imprisoned in such places of this Kingdome, and for so long time as the Committee of the House of Commons for Examinations, shall appoint and order: and the Families of all such persons so imprisoned, shall no longer remain within the Cities of *London* and *Westminster*, the Suburbs and the Counties adjacent.

And be it further Ordained, that all and every the Assessors and Collectors of the said severall summes, shall have the protection of both Houses of Parliament, for their indemnitie in this service, and receive such reasonable allowance for their pains taken and charges disbursed, or to be disbursed therein, as the Committee of Lords and Commons for advance of money and other necessaries for the Army, raised by the Parliament, shall apportion and appoint.

*An Ordinance of both Houses of Parliament, for the better  
Provision of Victualls, and other Necessaries for  
the Army, and for Payment and Satis-  
faction to be made for such  
Provisions.*

*Die Martis, 29. Novemb. 1642.*

**I**T is Ordered by the Lords and Commons in Parliament, That Committees shall be named in all Counties, to take care for provisions of Victualls for the Army raised by the Parliament, as likewise for the taking up of Horses for service in the Field, Dragooneers, and Draught-horses, as likewise for borrowing of Money or Plate to supply the Army. Which Committees, or any two or more of them, shall have power and authority to value all kind of Provisions both for Men and Horse, all kind of Horse, for service, or otherwise, which shall be voluntarily offered to be lent upon the publick Faith, or likewise to receive any Mony or Plate to be lent as before; and that upon Certificate of any two of such Committees, the same provisions of Horses, Money and Plate, and the value thereof shall be entred by the Treasurer of the Propositions, and shall be repayed to the party from whom the same was received, with like Consideration as other Money lent.

And in case the owner of such provisions, money, plate, and Horses, shall refuse or neglect to bring in the same upon the publick faith for the use of the Army, for the better preventing the spoyle and embezzeling of such provisions of money, plate, and Horses, by the disorder of the Souldiers, and that they may not come inno the hands of the Enemies, it is further ordered, that the Committees afore mentioned, or any two of them, be hereby authorized and enabled to send for such provisions, money, plate, and Horses, and take the same into their custody, and to set an indifferent value and rate upon them; which value they shall certifie to the Treasurers for the propositions, to be repayed at such time, and in such manner, as shall be Ordered by both Houses of Parliament. It is likewise Ordered, that the said Committees of the severall and respective Counties shall meet and consult with the Committees of the adjacent and neighbour Counties, unto the place or places where the said Army, or any part thereof, shall passe and remain, concerning the receiving, procuring, valuing and disposing of such provisions, horses, money, and plate. And if they cannot conveniently meet, that then it shall be lawfull for any two, or more of the Committee,



mittee, to execute the severall services above mentioned in the adjoyning Countreies, as vvell as in the Countrey vvherein he is named a Committee ; and that such certificates as they shall make of any provisions, Horses, Money, or Plate, shall be as effectually for the securities of the parties, as if the same vvere received and taken vvithin the Countrey for vvvhich he or they are named Committees. And the said Committees, or any two or more of them, shall cause the said provisions to be delivered to the commissary for the Victualls, or to his Deputy, and such other Officers of the Army, vvho may be charged vvith the same upon their accompt, and shall certifie the Treasurer of the Army, or his Deputy, that so defalcation of the value thereof may be made out of the pay of such Officers and Souldiers as shall receive the same. And the said Committee shall likewise cause all such money and plate to be delivered unto the Treasurer of the Army, or his Deputy, vvho shall take care to convey the Plate unto the Treasurer for the propositions, and shall be charged vvith all such money upon his accompt as vvith other money received from them.

*FINIS.*



## His MAJESTIES Declaration to all His loving Subjects upon occasion of the aforesaid Ordinance and Declaration.

**I**T would not be believed (at least great pains have been taken that it might not) that the pretended Ordinance of the Militia ( the first attempt that ever was to make a Law by Ordinance without Our consent) or the keeping Us out Hull, and taking Our Arms and Munition from Us, could any way concern the Interest, Property, or Liberty of the Subject, and it was confessed by that desperate Declaration it self of the 26. of May, that if they were found guilty of that charge of destroying the Title and Interest of Our Subjects to their Lands and Goods, it were indeed a very great crime. But it  
was



was a strange fatall Lethargy which had seised Our good people, and kept them from discerning, that the Nobility, Gentry, Commonalty of *England*, were not onely stripped of their preheminences and Priviledges, but of their Liberties and Estates, when Our just Rights were denied Us, and that no Subject could from thenceforth expect to dwell at home, when We were driven from Our Houses and Our Towns. It was not possible, that a Commission could be granted to the Earl of *Essex*, to raise an Army against Us, and for the safety of Our person, and preservation of the peace of the Kingdome, to pursue, kill & slay Vs, and all who wish well to Us, but that in a short time inferiour Commanders, by the same Authority, would require Our good Subjects for the maintenance of the property of the Subject, to supply them with such summes of money as they think fit, upon the penalty of being plundered with all extremity of Warre (as the stile of Sir *Edward Baynsons* warrant runs against Our poore Subjects in *Wiltshire*) and by such rules of unlimited Arbitrary power, as are inconsistent with the least pretence or shadow of that Property it would seem to defend.

If there could be yet any understanding so unskilfull and supine to believe, That these Disturbers of the publick peace do intend any thing but a generall confusion, they have brought them a sad Argument to their own doores to convince them; after this Ordinance and Declaration, 'tis not in any sober mans power to believe himself worth any thing, or that there is such a thing as Law, Liberty, Property left in *England*, under the jurisdiction of these men; and the same power that robs them now of the Twentieth part of their estates, hath by that but made a claime and entitled it self to the other Nineteen, when it shall be thought fit to hasten the generall ruine. Sure, if the minds of all men be not stubbornly prepared for servitude, they will looke on this Ordinance as the greatest Prodigy of Arbitrary power and tyranny, that any Age hath brought forth in any kingdome, other grievances ( and the greatest ) have been conceived intolerable, rather

by the Logick and Consequence, then by the Pressure it self, this at once sweeps away all, that the wisdom and justice of Parliaments have provided for them. Is their property in their estates ( so carefully looked to by their Ancestours, and so amply established by Vs against any possibility of Invasion from the Crown ) which makes the meanest Subject as much a Lord of his own, as the greatest Peere, to be valued or considered? here is a twentieth part of every mans estate ( or so much more as foure men will please to call the Twentieth part ) taken away at once, and yet a power left to take a twentieth still of that which remaines, and this to be leavied by such circumstances of severity, as no Act of Parliament ever consented to. Is their liberty which distinguishes Subjects from slaves, and in which this free-borne Nation hath the Advantage of all Christendome, deare to them? they shall not onely be imprison'd in such places of this kingdome, ( a latitude of judgement no Court can challenge to it self in any Cases ) but for so long time as the Committee of the House of Commons for examination shall appoint and order; the House of Commons it self having never assumed, or in the least degree pretended to a power of judicature, having no more Authority to administer an oath ( the onely way to discover and find out the truth of facts ) to, then to cut off the heads of any of Our Subjects; and this Committee being so farre from being a part of the Parliament, that it is destructive to the whole, by usurping to it self all the power of King, Lords, and Commons. All who know any thing of Parliaments know that a Committee of either House ought not by the Law to publish their own Resultes, neither are their conclusions of any force without the Confirmation of the House, which hath the same power of controlling them, as if the matter had never been debated; but that any Committee should be so contracted ( as this of Examination, a style no Committee ever bore before this Parliament ) as to exclude the Members of the House, who are equally trusted by their Country, from being present at,

the

the Counsells, 'is so monstrous to the priviledges of Parliament, that it is no more in the power of any man to give up that freedome, then of himself to order, that from that time the place for which he serves, shall never more send a Knight or Burgesse to the Parliament, and in truth is no lesse then to alter the whole frame of government, to pull up Parliaments by the rootes, and to commit the Lives, Liberties and Estates of all the people of England, to the Arbitrary power of a few unqualified persons, who shall dispose thereof according to their discretion, without account to any rule or Authority whatsoever.

Are their friends, their Wives, and Children ( the greatest blessings of peace, and the comforts of Life ) pretious to them? would even their penury and imprisonment be lesse grievous by those cordials? they shall be divorced from them, banished, and shall no longer remaine within the Cities of London and Westminster, the Suburbes and the Counties adjacent; and how farre those adjacent Counties shall extend no man knowes.

Is there any thing now left to enjoy, but the Liberty to rebell, and destroy one another? are the outward blessings onely of peace, property, and liberty, taken, and forced from Our Subjects? are their Consciences free and unassaulted by the violence of these fire-brands? Sure the liberty and freedome of Conscience cannot suffer by these men: Alas! all these punishments are imposed upon them because they will not submit to Actions contrary to their naturall loyalty, to their Oathes of Allegiance and Supremacy, and to their late voluntary Protestation, which obliges them to the care of Our person and Our just Rights.

How many persons of Honour, Quality, and Reputation of the severall Counties of England, are now imprisoned, without any objection agaist them, but suspition of their loyalty? How many of the gravest and most substantiall Citizens of London, by whom the government and discipline of that City was preserved, are disgraced, robbed, and imprisoned, without any

proceſſe of Law, or colour of accusation, but of obedience to the Law and Government of the Kingdome: whilst Anabaptists and Brownists with the assistance of vitious and deboshed persons, of desperate Fortunes take upon them to break up and rife houses, as publike and avowed Ministers of a new invented Authority; How many godly, pious, and painfull Divines, whose lives and learning hath made them of Reverend estimation, are now slandered with inclination to popery, discountenanced, and imprisoned, for discharging their Consciences in instructing the people in the Christian duty of Religion and Obedience, whilst Schismaticall, illiterate, and scandalous preachers, fill the Pulpits and Churches with blasphemie, irreverence, and treason, and incite their Auditory to nothing but murder and rebellion; We passe over the vulgar charm, by which they have captivated such who have been contented to dispenſe with their Consciences for the preservation of their estates, and by which they perswade men chearfully to part with this twentieth part of their estate to the good work in hand, for whoever will give what he hath may escape robbing; *They shall be repaid upon the publick faith as all other monies lent upon the Propositions of both Houses;* It may be so, but men must be condemned to a strange unthriftinesse who will lend upon such securitie.

The publick Faith indeed is as great an earnest as the State can give, and engages the Honour, Reputation and Honesty, of the Nation, and is the Act of the Kingdome, it is the security of the King, the Lords and Commons, which can never need an Executour, can never die, never be Bankrupt, and therefore We willingly consented to it for indemnitie of Our good Subjects of *Scotland*, (who we hope will not think the worse of it, for being so often and so cheaply mentioned since.) But that a Vote of one or both Houses should be an engagement upon the publick faith, is as impossible, as that the Committee of the House of Commons for Examinations, should be the High Court of Parliament.

And what is or can be said with the least shadow of reason

to justifie these extravagances: We have not lately heard of the old fundamentall Laws which used to warrant the Innovations, this needs a Refuge even below those foundations: They will say they cannot manage their great undertakings without such extraordinarie wayes, We think so too, but that proves onely they have undertaken somewhat they ought not to undertake, not that it is lawfull for them to do any thing that is convenient for those ends. We remembred them long ago, and We cannot do it too often, of that excellent Speech of M. Pym. *The Law is that which puts a difference betwixt good and evil, betwixt just and unjust, if you take away the Law, all things will fall into a confusion, every man will become a Law unto himself, which in the depraved condition of humane nature, must needs produce many great enormities, Lust will become a Law, and Envy will become a Law, Covetousness and Ambition will become Lawes, and what Dictates, what Decisions such Lawes will produce may easily be discerned.* It may indeed by the sad instances over the whole Kingdome; But will Posteritie believe, that in the same Parliament this doctrine was avowed with that Acclamation, and these instances after produced; That in the same Parliament such care was taken that no man should be committed in what case soever, without the cause of his Imprisonment expressed, and that all men should be immediately bayled in all Cases baylable, and during the same Parliament that Alderman Pennington, or indeed any body else, but the sworn Ministers of Justice, should imprison whom they would, and for what they would, and for as long time as they would; That the King should be reproached with breach of Priviledge for accusing Sir John Hotham of high treason, when with force of Arms he kept him out of Hull, and despised him to his face, because in no case a Member of either House might be committed or accused without leave of that House, of which he is a Member, and yet that during the same Parliament, the same Alderman should commit the Earl of Middlesex (a Peer of the Realm) and the Lord Buckhurst (a Member of the House of Commons) to the Counter without

reprehension, That to be a Traitor (which is defined & every man understands) should be no crime, and to be called a Malignant (which no body knows the meaning of) should be ground enough for close imprisonment; That a Law should be made, that whosoever should presume to take tunnage and poundage without an Act of Parliament, should incur the penaltie of a Premunire, and the same Parliament, that the same imposition should be laid upon Our Subjects, and taken by an Order of both Houses, without and against Our consent. Lastly, that the same Parliament, a Law should be made to declare the proceedings and judgement upon ship-money to be illegall and void, and during that Parliament, that an Order of both Houses shall, upon pretence of necessitie, inable foure men to take away the twentieth part of their estates from all their Neighbours, according to their discretion.

But Our good Subjects will no longer look upon these and the like results, as upon the Counsels and conclusions of both Our Houses of Parliament, (though all the world knows even that Authority can never justify things unwarrantable by the Law) they well know how few of the Persons trusted by them are present at their consultations, of above 500 not 80. and of the House of Peers, not a fifth part, that they who are present enjoy not the Priviledge and Freedome of Parliament, but are besieged by an Army, and awed by the same tumults, which drive Vs and their fellow-Members from thence, to consent to what some few Seditious, Schismaticall Persons amongst them do propose; These are the men, who joyning with the *Anabaptists* and *Brownists* of London, first changed the Government and Discipline of that City, and now by the pride and power of that City would undoe the Kingdome, whilst their Lord Major (a Person accused and known to be guilty of high Treason) by a new Legislative power of his own, suppresses and reviles the book of Common-prayer, robbes and imprisons whom he thinks fit, and with the rabble of his Faction gives Laws to both Houses of Parliament, and tells them they will have no Accommodation, whilst the  
Members



Members sent and entrusted by their Countreys are expelled the House, or committed for refusing to take the Oath of Association, to live and die with the Earl of *Essex*, as very lately Sir *Sidney Mountague*. These are the men who have presumed to send Ambassadors, and to enter into treaties with forrain States in their own behalfs, having at this time an Agent of their own with the States of *Holland*, to negotiate for them upon private instructions. These are the men, who not thinking they have yet brought mischief enough upon this Kingdom, at this time invite and sollicite Our Subjects of *Scotland* to enter this land with an Army against Vs. In a word, these are the men who have made this last devouring Ordinance, to take away all Law, Libertie, and Property from Our people, and have by it really acted that upon Our people, which with infinite malice, and no colour or ground, was laboured to be infused into them to have been Our intention by the Commission of Array.

We have done; what power and Authority these men have, or will have, we know not, for Our self we challenge none such; We look upon the pressures and inconveniences Our good Subjects beare, even by Vs and Our Army, (which the Army first raised by them enforced Vs to leavy in Our defence, and their refusall of all offers and desires of Treaty enforceth Vs to keep) with very much sadness of heart; We are so far from requiring a twentieth part of their estates (though for their own visible preservation) that as We have already sold or pawned Our own Jewels, & coyned Our own Plate, so We are willing to sell all Our own Land, and Houses for their relief; yet We do not doubt but Our good Subjects will seriously consider Our condition and their own duties; and think Our readinesse to protect them with the utmost hazard of Our life, deserves their readines to assist Vs with some part of their fortunes, & whilst other men give a 20<sup>th</sup> part of their estates, to enable them to forfeit the other nineteen that they wil extend themselves to Us in a liberal & free proposition for the preservation of the rest, & for the maintenance of Gods true religion the



the Laws of the Land, the Liberty of the Subject, and the safety and very being of Parliaments, and this Kingdome: for if all these ever were, or can be in manifest danger, it is now in this present Rebellion against Vs.

Lastly, We will and require all Our loving Subjects of what degree or quality soever, as they will answer it to God, to Vs, and to posterity, by their oathes of Allegiance and Supremacy, as they would not be looked upon now, and remembered hereafter as betrayers of the Laws and Liberty they were born to, that they in no degree submit to this wilde pretended Ordinance, and that they presume not to give any encouragement or assistance to the Army now in Rebellion against Vs, which if notwithstanding they shall do, they must expect from Vs the severest punishment the Law can inflict, and a perpetuall Infamy with all good men.

**F I N I S.**

1642

